



Transcript of the Testimony of
THOMAS, DAMARCUS

Date: January 9, 2020

Case: TELLIS/CHARLES, ET AL v. JAMES LEBLANC, ET AL

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1 A Alright.
2 Q Alright. Good deal. Let's start out and get some
3 background. What is your full name?
4 A Damarcus Keyon (PHONETIC) Thomas.
5 Q Okay. And what is your date of birth?
6 A 10/15/91.
7 Q Okay. So you're 29?
8 A 28.
9 Q 28? Okay. Be 29 this year, huh?
10 A Mm-hmm.
11 Q And what is your level of education, Mr. Thomas?
12 A I sloughed off in the eighth grade at home. I got
13 locked up since I was 14.
14 Q Okay. So, you were in the eighth grade --
15 A Mm-hmm.
16 Q -- and where were you in the eighth grade?
17 A J. S. Clark Middle School.
18 Q Repeat that?
19 A J. S. Clark.
20 Q Jarious (PHONETIC) Clark?
21 A Yeah.
22 Q Where is that?
23 A In Shreveport.
24 Q In Shreveport? And what year was that that you
25 were in the eighth grade?

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1 Q With Mace?

2 A Yes.

3 Q Is that the only time you've ever been sprayed with
4 Mace?

5 A Yes.

6 Q Or whatever chemical agent it is?

7 A Yeah.

8 Q Alright. What happened after that?

9 A He came in, they got me out the sheet. I was in
10 handcuffs. They led me out into the N3 lobby part,
11 put me on my knees. I told him I was gonna write
12 him up. He sprayed me again in my face while I was
13 in full restraints.

14 Q Okay.

15 A It was -- at the time there present it was Captain
16 Malcolm and Major Haulcy, which is now a -- yeah,
17 Major Haulcy.

18 Q Alright. Okay. What else happened?

19 A Well, I guess I made him pretty mad, 'cause he
20 wanted to go home at 6 o'clock. So they moved me
21 from N3 to N4 A Tier. Moments later I got a write-
22 up for contraband.

23 Q Alright. Did they put you on suicide watch?

24 A Yeah.

25 Q Alright. Did you see any mental health people when

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1 you were on suicide watch?

2 A Yeah.

3 Q Okay. Who did you see?

4 A I seen Steve.

5 Q Alright. And did you have a conversation with
6 Steve?

7 A Only the conversation telling him could I get a mat
8 and would he take me off suicide.

9 Q And what did he say?

10 A Well, at first he denied me the mat -- a suicide
11 mat. And a couple days later he came back and took
12 me off suicide.

13 Q Okay. When you said "at first" -- was there a
14 point in time that he gave you a mat, or did you
15 not have a mat the whole time you were there?

16 A I did not have a mat the whole time. I was
17 sleeping on the floor.

18 Q Okay. And you were on suicide watch for two days?

19 A No, I was on there for a week.

20 Q Okay. So you spent a week without a mat?

21 A Mm-hmm. Yes sir.

22 Q Okay. What else about that visit to suicide watch
23 that is significant?

24 A Well, that's what I was on -- after he took me off,
25 he just came and gave me my property back.

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1 Q Okay. Did you see the psychiatrist at any point
2 after you were taken off of suicide watch?

3 A Never came down the tier.

4 Q Did you ask to -- alright. I'm not talking about
5 "never came down the tier," I'm saying: Did you
6 ever see him after they took you off? Did they
7 take you to see him at some point?

8 A No.

9 Q Not weeks, not months -- you never saw him?

10 A Never.

11 Q Okay. You ever ask to see him?

12 A Yeah.

13 Q Okay. But you never got to go see him?

14 A No. They rarely come down the tier in N4. They
15 say that's the bad unit, I guess.

16 Q Okay. Anything else about this incident with
17 Captain Malcolm and Major Haulcy that we haven't
18 covered?

19 A We've covered.

20 Q We've covered it? Okay. What about have you ever
21 been on suicide watch any other times other than
22 this one time?

23 A No.

24 Q No, that's the only time? Okay.

25 COURT REPORTER:

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1 I didn't get a response on that.

2 BY MR. ROBERT continuing:

3 Q He said -- he said "no." But yeah, confirm that
4 response. You said "no?"

5 A No, I've never been on suicide.

6 Q Okay.

7 A Other than this time here.

8 Q Okay. And I take it you haven't been back in
9 general population since October 2019, have you?

10 A No, I haven't.

11 Q Have you gotten any other rule violations since
12 that one you got for contraband?

13 A Yeah, just aggravated disobedience.

14 Q Another aggravated disobedience? Okay. We talked
15 about this instance in detail. About, you know,
16 October 2, 2019. And that's kinda what I'm trying
17 to get to. I'm trying to find out what kind of
18 instances you've had, what kind of problems you've
19 had on extended lockdown that you think are unfair
20 or mistreatment, okay? And you just told me this
21 about October 2nd, but I want to know if there's
22 anything else that happened since when you've been
23 on extended lockdown.

24 A I -- I got a -- he came back and threatened me, but
25 he never came inside my cell. I'm talking about

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1 Captain Malcolm.

2 Q Yeah.

3 A He come in front of my cell telling me I was
4 clapping too loud. And --

5 Q That you were clapping too loud?

6 A Yeah. Cut on his camera and threatened to spray
7 me, telling me to shut up. And I wrote that up on
8 an ARP. They be going in -- they haven't did it to
9 me in a minute, but they be going in shaking --
10 shaking us down, taking our clothes. I don't know
11 if it's because we be dealing with whoever we deal
12 with, but during -- during it back there, it's --
13 it's -- they be trying to, I guess you would say
14 blues us back there in N4.

15 Q When you say "blues," what do you mean by that?

16 A Cut the fans on, open all the windows while people
17 in gowns. We don't have no clothes back there.
18 They turn off the heater.

19 Q Okay. And you're telling me "they." Who is
20 "they?"

21 A Each captain that come on.

22 Q All of them have done that to you?

23 A Yeah. Even when I was on suicide.

24 (INTERCOM ANNOUNCEMENT)

25 BY MR. ROBERT continuing: (witness answering)

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1 A Even when I was on suicide they'll turn off the
2 heater, turn on the fan, open your windows up in
3 the front of your cell, and we don't have no
4 clothes.

5 Q Well, when you're not on suicide you've got a
6 jumpsuit, don't you?

7 A No. Oh, you say when you're not on suicide?

8 Q Not on suicide.

9 A Yeah, you get a jumpsuit.

10 Q When you were on suicide watch for that week you
11 were in a paper gown, right?

12 A Yes.

13 Q But when you're not on suicide you do have clothes,
14 correct?

15 A Yeah, you got a jumpsuit.

16 Q Okay. And they would open up the windows even when
17 you weren't on suicide watch -- is that what you're
18 saying?

19 A When I was on suicide watch, they opened 'em. I'm
20 not worried about them opening 'em when I'm not on
21 suicide because I have clothes.

22 Q Alright.

23 A But if you're doing it and the other people on the
24 tier on 30-day strip or on suicide, and they, you
25 know --

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1 Q I'm trying to find out, though, about the
2 medication. You said after about a week they
3 stopped giving you the medication --

4 A They just took me off the medication.

5 Q Did you ever see -- have you seen the psychiatrist
6 since you've been here at David Wade?

7 A No.

8 Q Have you ever asked to see the psychiatrist since
9 you've been here at David Wade?

10 A Yes.

11 Q How did you go about asking?

12 A They told me to fill out sick calls.

13 Q And you did that?

14 A Yeah.

15 Q And nobody -- you never got to see him?

16 A No.

17 Q Have you filed any ARPs relating to that?

18 A Yeah, I'm -- I'm just filing ARPs because it's
19 starting to mess with me.

20 Q Okay.

21 A I can't sleep. It's starting to mess with me real
22 bad now.

23 Q But before now have you filed any ARPs about it?

24 A No.

25 Q Okay. And you're not on any medication now as we

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1 sit here today -- is that correct?

2 A Yes.

3 Q And you haven't been taking any medication for any
4 kind of mental illness since you got here to David
5 Wade -- is that correct?

6 A No.

7 Q Okay. Then clarify that for me.

8 A You said -- no, I haven't been taking no mental
9 health --

10 Q (CROSS-TALK) Oh, so okay -- so, alright. So let me
11 ask this again: You have not received any mental
12 health medication other than that first week that
13 you talked about at David Wade since you've been at
14 David Wade, correct?

15 A Correct.

16 Q Okay. Now we're clear.

17 A Yeah, they be trying to think -- they be trying to
18 not give it, to where they fight -- they fight us
19 here on our medication.

20 Q Okay. Have you -- and you have not seen a
21 psychiatrist at all since you've been here?

22 A I don't think they got a psychiatrist.

23 Q Okay. Have you talked with any other mental health
24 professionals? I know you talked to Steve when you
25 were on suicide watch. Have you had any other

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1 conversations or communications with him?

2 A Excuse me, I mean -- Steve is -- Steve have a lot
3 of complaints going on with him. He doesn't do his
4 job at all. I mean, I could talk to him a lot of
5 times, every time he walks down the tier on N2, but
6 when he leaves it's nothing. He don't come down
7 with no paperwork, no nothing. He don't -- it's a
8 lot of people that's sick that still ain't on their
9 medication.

10 Q And I understand, but my question is, have you had
11 -- other than being on suicide watch, have you had
12 communications with Steve about the need for mental
13 health treatment or wanting to get mental health
14 treatment or anything like that?

15 A Uh-uh, not that I know of.

16 Q And you do see him coming down the tier because you
17 just said that, right?

18 A In N2?

19 Q Yeah.

20 A When he come down in N2. He don't come down in N3
21 and N4.

22 Q Does Mr. Jason come down in N3 and N4?

23 A Jason?

24 Q Yeah --

25 A I don't know him.

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1 Q -- Burgos -- you don't know that name? Okay. So
2 you're telling me you haven't seen any mental
3 health professionals since you've been in N4 -- any
4 social workers or anything like that?

5 A No.

6 Q Okay. Anything else from a mental health
7 standpoint? I think we've pretty much covered --

8 A That's all I can remember.

9 Q That's all you can remember? Okay. And just so
10 I'm clear, you haven't filed any ARP's about lack
11 of mental health treatment since you've been here
12 at David Wade -- not so far, right?

13 A I mean, I have one now. It's on backlog.

14 Q Oh, so it is pending, but --

15 A It's on backlog.

16 Q When did you file that?

17 A I'd say two weeks ago.

18 Q Two weeks ago? Okay. Any others prior to that?

19 A No.

20 Q Okay. What about Ms. Robinson -- have you had any
21 communications or dealings with her?

22 A Ms. Robinson?

23 Q Yeah.

24 A I don't know who that is.

25 Q Okay. Alright. I think that's all I have for now.

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1 She may have some questions for you. We'll see.

2 **EXAMINATION BY MS. BRAY:**

3 Q You said you've witnessed some stuff with some
4 other people?

5 A Yeah.

6 Q What have you witnessed?

7 A I done witnessed people get beat by captains. I
8 done witnessed people get the wrong medication, and
9 I done witnessed people making sick calls and
10 people die for not being taken care of back there
11 in the cellblocks. I mean, do you want me to keep
12 going?

13 Q Can you be more specific? Like, is there anyone
14 that you know their name that something like that's
15 happened to?

16 A Yeah, Johnny Williams is one.

17 Q And what happened to him?

18 A Johnny Williams -- they went inside Johnny
19 Williams' cell. They done Maced him in his face,
20 put his hands on him, took all his things, and he
21 caught write-ups. Also, you have -- he's in N4 C
22 Tier, cell -- I don't know his name. He just got
23 his hands -- the officer just put his hands on him
24 a couple days back. Slapped him, pushed him into
25 the bars, threw him into the shower, put him in the

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1 shower, hit him a couple times across his head
2 because he didn't want to -- he was talking when
3 they came and got his mat from him.

4 Q And how do you know that that happened?

5 A I was on the tier and I sat there and watched 'em.

6 Q How did you see it?

7 A Well, I'm looking out my door to the back, so I can
8 see everything.

9 Q Okay. You said people make sick calls?

10 A Yes ma'am. Yeah, my friend he made -- this
11 happened in 2018, at the end of it. He made a sick
12 call saying that his head was hurting. He's --
13 he's on medication, too -- mental health
14 medication. The woman came down, told him it
15 wasn't nothing wrong with him, took his blood
16 pressure, and that same night he died.

17 Q Do you know -- what was his name?

18 A They call them Snicker. His name is Terrell
19 (PHONETIC) Jackson, I think.

20 Q His nickname is Snicker?

21 A Mm-hmm.

22 Q Like, the candy bar, Snicker?

23 A Yes ma'am. They also up in --

24 Q Go ahead.

25 A Oh. They also have been just -- not too long ago

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1 they've been shaking us down, I think it's because
2 we was coming out -- outside our cell coming up
3 here. They've been running into our cells on the
4 mental health tier lately, taking all our clothes
5 and everything.

6 Q You said because you've been coming up here?

7 A Yeah.

8 Q Well, what significance does it have that you are
9 coming up here? You mean talking to us, or?

10 A Yeah.

11 MR. ROBERT:

12 Object to the form. Go ahead.

13 BY MS. BRAY continuing:

14 Q You can answer.

15 A Yes.

16 Q So, do you believe that the shaking down of your
17 cells was in retaliation?

18 A Yes.

19 MR. ROBERT:

20 Object to the form.

21 BY MS. BRAY continuing:

22 Q And do you know who else that's happened to?

23 A Yes.

24 Q Who?

25 A Daniel Champ, Johnny Williams, me -- all of us come